



PLANNING COMMISSION MEETING
MONDAY, February 11, 2019
City Council Chambers, 400 East Military Avenue, Fremont NE
STUDY SESSION – 4:45 P.M.
PLANNING COMMISSION MEETING – 5:00 P.M.
AGENDA

1. Call to Order.
2. Roll Call.
3. Disclosure of Ex Parte communication regarding any item on the agenda
4. Dispense with the reading and approve the minutes of the January 21, 2019 Regular Meeting as prepared.
5. Dispense with the reading and approve the minutes of the February 4, 2019 City Council, Planning Commission and Board of Adjustment Special Meeting for and Educational Session as prepared.
6. Consider a request of Love Signs on behalf of Inspro Insurance, for change to the text of the Unified Development Code (UDC) related to the square footage of signage allowed on awnings in the DC zoning area.
 - Staff Report
 - Public Hearing
 - Commission discussion and approval or disapproval
7. Hear a presentation and receive input on the City's 1 and 6 Year Street Improvement Plan.
 - Staff Report and presentation

- Public Hearing
- Commission discussion and recommendation

8. Adjournment.

THIS MEETING WAS PRECEDED BY PUBLICIZED NOTICE IN THE FREMONT TRIBUNE, THE AGENDA DISPLAYED IN THE LOBBY OF THE FREMONT MUNICIPAL BUILDING AND POSTED ONLINE AT WWW.FREMONTNE.GOV IN ACCORDANCE WITH THE NEBRASKA OPEN MEETINGS ACT, A COPY OF WHICH IS POSTED CONTINUALLY IN THE COUNCIL CHAMBERS FOR PUBLIC INSPECTION, AND SAID MEETING IS OPEN TO THE PUBLIC. A COPY OF THE AGENDA WAS ALSO KEPT CONTINUALLY CURRENT AND AVAILABLE TO THE PUBLIC IN THE PRINCIPLE OFFICE OF THE DEPARTMENT OF PLANNING, 400 EAST MILITARY AVENUE. THE PLANNING COMMISSION RESERVES THE RIGHT TO ADJUST THE ORDER OF ITEMS ON THIS AGENDA.

PLANNING COMMISSION MINUTES

January 21, 2019

4:45 p.m. Study Session

5:00 o'clock pm. Regular Meeting

After the study session, Chairman Dev Sookram called the meeting to order and stated a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas. Roll call showed Chairman Sookram, Commissioners Borisow, Bowen, Carlson Nielsen, Horeis, Gifford and Sawyer present, Commissioner Barton was absent. Eight Commissioners present – a quorum was established.

Chairman Sookram read the item; disclosure of Ex Parte communication regarding any item on the agenda into the record. There were no Ex Parte communications stated.

Chairman Sookram read the item Elect a Chair and Vice-Chair in accordance with commission By-laws. Chairman Sookram asked for nominations for Chairman. It was moved by Commissioner Borisow and seconded by Commissioner Gifford to nominate Dev Sookram as Chairman. Commissioner Borisow made a motion to close the nominations and Commissioner Sawyer seconded the motion. A roll call vote showed all members present voting aye to close the nominations. Motion carried unanimously. A roll call vote showed all members present voting aye nominating Dev Sookram as chairman. Motion carried unanimously.

Chairman Sookram asked for nominations for Vice-Chairman. It was moved by Commissioner Sawyer and seconded by Commissioner Horeis to nominate Commissioner Gifford as Vice-Chairman. It was moved by Commissioner Bowen and seconded by Commissioner Borisow to close the nominations and cast unanimous ballot for Commissioner Gifford. A roll call vote showed all members present voting aye to close nominations and elect Commissioner Gifford Vice Chairman. Motion carried unanimously.

Chairman Sookram read into the record the item: dispense with the reading and approve the minutes of the December 17, 2018, Regular Meeting as prepared. It was moved by Commissioner Borisow and seconded by Commissioner Sawyer to approve the minutes of the December 17, 2018, Regular Meeting as prepared. A roll call vote showed all Commissioners present voting aye. Motion carried unanimously.

Chairman Sookram read into the record the item; Consider a request by Jodi Benjamin on behalf of Midland University for conditional use permit to remove a residence hall and replace it with a new 3 story residence hall,. The Planning Director presented her staff report and recommendation. Chairman Sookram opened the public hearing. Chairman Sookram closed the public hearing after receiving comments from the public. It was moved by Commissioner Nielsen and seconded by Commissioner Sawyer to recommend approval of the conditional use permit to remove a residence hall and replace it with a new 3 story residence hall, upon the conditions set forth in Staff's Report and with the

Chief Building Officials review ~~approval~~ of the stairway. A roll call vote showed all Commissioners present voting aye. Motion carried unanimously.

Chairman Sookram read into the record the item: Consider a request by LK Architecture for approval of sign plan for Walmart at 3010 E. 23rd, Fremont, Nebraska. The Planning Director presented her staff report and recommendation. Chairman Sookram opened the public hearing. Chairman Sookram closed the public hearing after receiving no comments from the public. It was moved by Commissioner Gifford and seconded by Commissioner Bowen to recommend approval of the sign plan for Walmart at 3010 E. 23rd, Fremont, Nebraska. A roll call vote showed all Commissioners present voting aye. Motion carried unanimously.

Hearing no other business, Chairman Sookram stated he would entertain a motion to adjourn the meeting. It was moved by Commissioner Carlson and seconded by Commissioner Sawyer to adjourn the meeting. Meeting was adjourned at approximately 5:19 p.m.

APPROVED

Dev Sookram, Chairman

ATTEST

Director of Planning

CITY COUNCIL, PLANNING COMMISSION AND BOARD OF ADJUSTMENT
MINUTES FOR SPECIAL MEETING FOR AN EDUCATIONAL SESSION

February 4, 2019

5:00 o'clock pm.

The Mayor called the Special Meeting for an Educational Session of the City Council to order.

Chairman Sookram called the Special Meeting for an Educational Session of the Planning Commission to order.

Blackburn called the Special Meeting for an Educational Session of the Board of Adjustment to order.

The City Clerk's Roll call showed Council Members McClain, Jensen and Jacobus present, Council Members Ellis, Kuhns, Bechtel, Yerger and Legband were absent. There were three Council Members present, so there was no quorum established.

The Educational Session presenter, Thomas Huston, attorney from Cline, Williams, Wright, Johnson & Oldfather, L.L.P. stated that there would be no formal action taken.

The Director of Planning's Roll call showed Board of Adjustment Members present were: Nielsen and Blackburn. Board of Adjustment Members Bowen, Carlson and Brown were absent. There were two Board of Adjustment Members present, so there was no quorum established.

The Director of Planning's Roll call showed Planning Commission Members present were: Landholm and Sookram. Planning Commission Members Nielsen, Gifford, Sawyer, Horeis, Carlson, Borisow and Bowen were absent. There were two Planning Commission Members present, so there was no quorum established.

City Council Member Yerger entered the meeting at approximately 5:03 p.m.

Planning Commission AND Board of Adjustment Member Bowen entered the meeting at approximately 5:10 p.m., establishing a quorum of the Board of Adjustment.

City Council Member Kuhns entered the meeting at approximately 5:15 p.m., establishing a quorum of the City Council.

There was a presentation given by Thomas Huston of Cline, Williams, Wright, Johnson & Oldfather, L.L.P. regarding the Board of Adjustment and Fair Hearings. He also provided handouts..

Hearing no other business, the Mayor stated he would entertain a motion to adjourn the meeting. It was moved by Council Member Jacobus and seconded by Council Member

Jensen to adjourn the meeting. There were no objections by the Planning Commission or the Board of Adjustment. Meeting was adjourned at approximately 5:50 p.m.

APPROVED

Dev Sookram, Chairman

ATTEST

Director of Planning

DRAFT

Staff Report

TO: Planning Commission
FROM: Jennifer L. Dam, AICP, Planning Director
DATE: February 11, 2019
SUBJECT: Request to change text of UDC to allow larger awning signs

Recommendation: Deny this request. Request the Planning Director to initiate a comprehensive review of signage regulations.

Background:

Brittany of Love Signs, on behalf of Inspro Insurance has applied for a change to the text of the Unified Development Code in Table 11-825.01.02 to allow an increase in the size of awning signs from 5 square feet to 21 square feet for Inspro Insurance.

In order to increase the permitted size of the awning sign, a change would be necessary to the text of the Unified Development Code (UDC). A change to the UDC would allow an increase in the amount of permitted signage throughout the applicable zoning districts. In this case, awning signs in all commercial and industrial zoning districts are limited to 5 square feet.

Inspro Insurance is located downtown in the DC district. The downtown district is a pedestrian oriented commercial district. Signage in a pedestrian district doesn't need to be as large as in a strip mall/highway oriented commercial district that is vehicle oriented.

This proposal, while focused on one building, would impact signage in all of the commercial zoning districts.

Recently, an increase in the size of projecting signs was approved for the DC district.

As the code currently reads, a building in the DC district could have a combination of sign types up to 20% of the façade of the building. This includes projecting signs, wall signs, awning signs, window or directory signs, awning signs, marquee signs, and roof signs. Combined, that could be a significant amount of signage on a building.

The existing building has an awning sign (larger than 5 sq. ft.), vinyl door signs and a wall sign that advertises Inspro along 6th Street. Additionally, Don Peterson Real Estate has a large projecting sign on the corner with sides on Park Street and 6th Street, four building signs on the lower part of the columns facing 6th Street and vinyl signage on the doors.

While the specific sign that the applicant desires to install may not seem disproportionate, the total amount of signage that could occur on a building overall is problematic. This could lead to a proliferation in signage, which could create visual clutter throughout the city.

However, additional sign size may be warranted in more auto oriented districts, such as the SC or GC districts, to enhance visibility from the road.

Additional sign size might also be acceptable if other signage was minimized. For example, a building is allowed to have an awning sign or a wall sign, but not both. Currently the UDC does not have this limitation.

Rather than incrementally addressing signage by type of sign, a comprehensive evaluation of the sign regulations should be undertaken to evaluate signage needs and impacts.



**Table 11-825.01.02.
Permissible Attached Sign Types**

Nonresidential Districts						
District	SC	GC	DC ¹	BP	LI	GI
Attached Signs, Generally						
Allowances	Each building, tenant, and legal entity operating a business within a building, is permitted at least one, attached sign (as set out herein) on each exterior business wall enclosing such business, unless otherwise limited herein, provided the maximum sign area of any one sign or any combination of attached signs does not exceed 20 percent of the building elevation to which the sign(s) are attached, and: 1. The wall contains a public entrance serving only such occupancy; 2. The wall is fronting on or most directly facing a public street right-of-way; or 3. The wall abuts a parking lot with a parking module width of 55 feet or more for the same or an adjacent or abutting property.					
Building, Wall, or Fascia Sign	Allowed					
Number Allowed	1 per building	1 per building/tenant frontage				1 per building
Maximum Sign Area	1 sf. per lf. of building frontage	2 sf. per lf. of building/tenant frontage				
Other Limitations	1. All wall signs shall maintain a minimum distance of one foot from the lease line of the tenant’s portion of the facade. 2. The linear footage shall be measured along the wall of the facade on which the sign will be located. 3. On building frontages located at the corner of a building, which face two separate street frontages, or if a business occupies an entirely separate structure within a center, additional wall signs are allowed provided there is a minimum of 30 ft. maintained between the nearest edge of any two signs and each sign is mounted on a separate wall facing a separate direction.					
Directory or Window Sign	Allowed					
Number Allowed	1 per building	1 per building/tenant frontage	2 per building/tenant frontage	1 per building/tenant frontage	1 per building	
Minimum Window Transparency	75%		65%	75%		
Neon Signs ²	Not Allowed	1 per building/tenant frontage		Not Allowed		
Maximum Size of Neon Signs	-	6 sf.		-		
Other Limitations	Window panels separated by muntins or mullions shall be considered as one (1) continuous window.					
Awning or Canopy Sign	Allowed					
Number Allowed	1 per awning or canopy					
Maximum Sign Area	5 sf.					
Marquee Sign	Not Allowed		Allowed	Not Allowed		
Number Allowed	-		1 per building	-		
Maximum Sign Area	-		20 sf. per face, up to 3 faces	-		
Other Limitations	-		4. Not allowed on facades that face a residential use or district. 5. Not allowed on buildings that have less than 12,000 sf. of gross floor area.	-		
Roof Sign	Not Allowed		Allowed	Not Allowed		
Number Allowed	-		1 per building or set of building units in cases of a multi-tenant center	-		
Maximum Sign Area	-		50 sf.	-		

Maximum Height	-	8' above top of building wall, fascia, or parapet	-	
Other Limitations	-	Not allowed if a wall sign is used.	-	
Projection Sign	Not Allowed	Allowed		Not Allowed
Number Allowed	-	1 per façade		-
Maximum Sign Area	-	8 sf.	6 sf.	-
Clearance	-	8'		-
Other Limitations		No projecting sign shall project more than 45 inches into public right-of-way or over a sidewalk or public easement. Any such projecting sign shall be oriented so that the face of the sign is perpendicular to the building façade from which it projects.		

TABLE NOTES:

4. Refer, also to Subsection 11-825.03., *Downtown Commercial (DC) District Sign Standards*.

5. The sign area of a neon sign counts as opaque in the measurement of window transparency. Neon signs must be turned off at the close of business each day.

Zoning Code: Text Change Application

Love Signs, Inc. on behalf of INSPRO Insurance applies for an awning text size change for businesses zoned DC.

1. INSPRO Insurance - 100 E 6th St, Fremont, NE 68026
2. Don Peterson & Associates Real Estate Company – 100 E 6th St. Fremont, NE 68026
3. The current code states that businesses zoned DC are allowed a maximum of 5 sq ft of sign copy. INSPRO Insurance, located at 100 E 6th St. is a rather large building with an awning that is tastefully and attractively sized at 30'7" long. It is vital that the awning's message is at a size that is both readable and understandable from an approaching or passing vehicle. We believe that from a public safety perspective, the logo image is proportionately too small and should be allowed to be larger, more readable and understandable for patrons unfamiliar with the area. Customers should be able to easily identify it and make safe traffic maneuvers to navigate to it. With a large base of clients from out of the Fremont area, we believe that in this case, 5 square feet is not adequate or appropriate for this business in this location.

We are requesting this change to INSPRO Insurance specifically due to the fact that they are changing their company logo to keep consistent with brand standards. If we are to manufacture new it will significantly decrease the amount of text allowed from their current awning.

**EXISTING AWNING WITH LOGO
AT APPROXIMATELY 17 SQ. FT**



**EXISTING AWNING WITH LOGO
AT APPROXIMATELY 23 SQ. FT**



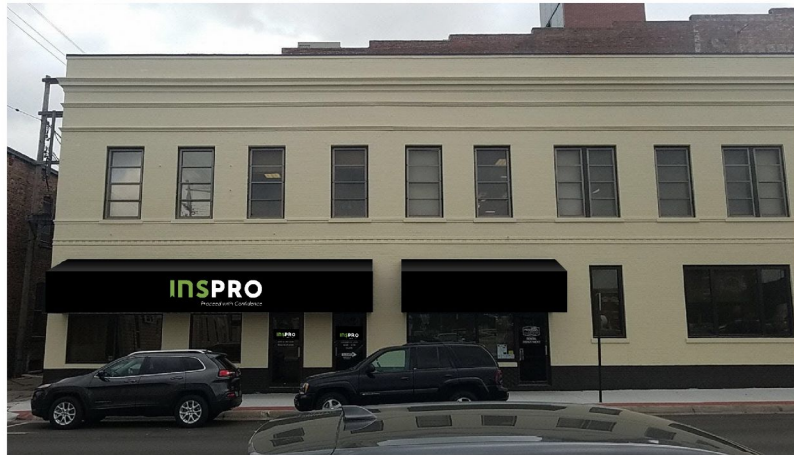
**AWNING WITH SAME LOGO
AT APPROXIMATELY 5 SQ. FT**



**AWNING WITH SAME LOGO
AT APPROXIMATELY 5 SQ. FT**



proposed awning.... 21 sq. ft. Logo
30" x 107"



city code 5 sq. ft. Logo
12" x 60"



STAFF REPORT

TO: Planning Commission

FROM: Dave Goedeken, Director of Public Works/City Engineer

DATE: February 4, 2019

SUBJECT: 2019 One and Six Year Street Improvement Plan

Recommendation: Provide Input – No formal action required

Background: Each year the City of Fremont Street Superintendent is required to submit a One and Six Year Street Improvement Plan to the Nebraska Department of Roads. Attached is a copy of the Draft 2019 One and Six Year Street Improvement Plan. The plan does not obligate funds, nor authorize any specific project. The Plan is intended as a transportation planning tool for the upcoming years.

1 & 6 YEAR STREET IMPROVEMENT PROGRAM (2019)

1ST YEAR 2019

Johnson Road - Jack Sutton Drive to Morningside Road	\$1,200,000
Rawhide Creek Bridge (North Somers Ave)	\$235,000
Pedestrian Signals (Phase II)	\$205,000
East Military Avenue - Grant to Clarmar Avenue	\$250,000
Bell Street - Linden Avenue to 23rd Street	\$700,000
Luther Road South - Morningside to	\$750,000
Bell Street Viaduct-Cuming Street to South Base of Viaduct	\$500,000
Morningside Pointe Subdivision (Private Subdivision)	
Morningside Crossing Subdivision (Private Subdivision)	
Sunridge Subdivision (Private Subdivision)	
TOTAL 1ST YEAR	\$3,840,000

2ND THROUGH 6TH YEAR 2020-2024

US 77 Bypass Southeast Beltway	\$40,000,000
West 23rd BNSF RR Viaduct	\$27,000,000
Rawhide Creek Trail	\$607,000
Broad Street (Hwy 77), Boulevard St to 5th St	\$750,000
Broad Street & Cloverly Road Intersection	\$350,000
Mayfair Avenue - 16th to 19th Street	\$400,000
Garfield Street - 16th to 19th Street	\$400,000
Yager Road and 23rd Street Intersection	\$125,000
Railroad Quiet Zone	\$1,100,000
Pierce Street - Military to Linden Avenue	\$600,000
32nd Street - Yager to Luther Road	\$1,300,000
Yager Road & 29th Street Intersection	\$10,000
Broad Street - 16th to 23rd Street	\$300,000
Luther Road - Military to 23rd Street	\$2,000,000
29th Street and Yager Intersection	\$25,000
16th Street - Colson Avenue to Nye Avenue	\$55,000
1st Street - Bell Street to Luther Road	\$1,600,000
Military Avenue - Luther Road to US Highway 275	\$1,510,000
20th Street - Nye Avenue to H Street	\$250,000
Reynolds Road - Clarkson to 2 Blocks East	\$250,000
Pierce Street and South Street	\$850,000
Westside Addition Street Paving	\$1,365,000
19th Street - Somers to Nye Avenue	\$110,000
Broad Street & Military Avenue Intersection	\$400,000
Ridge Road and Extend Jones Drive, Box Culvert	\$150,000
23rd/Bell/Yager Intersection	\$10,000,000
TOTAL 2ND THROUGH 6TH YEAR	\$91,507,000

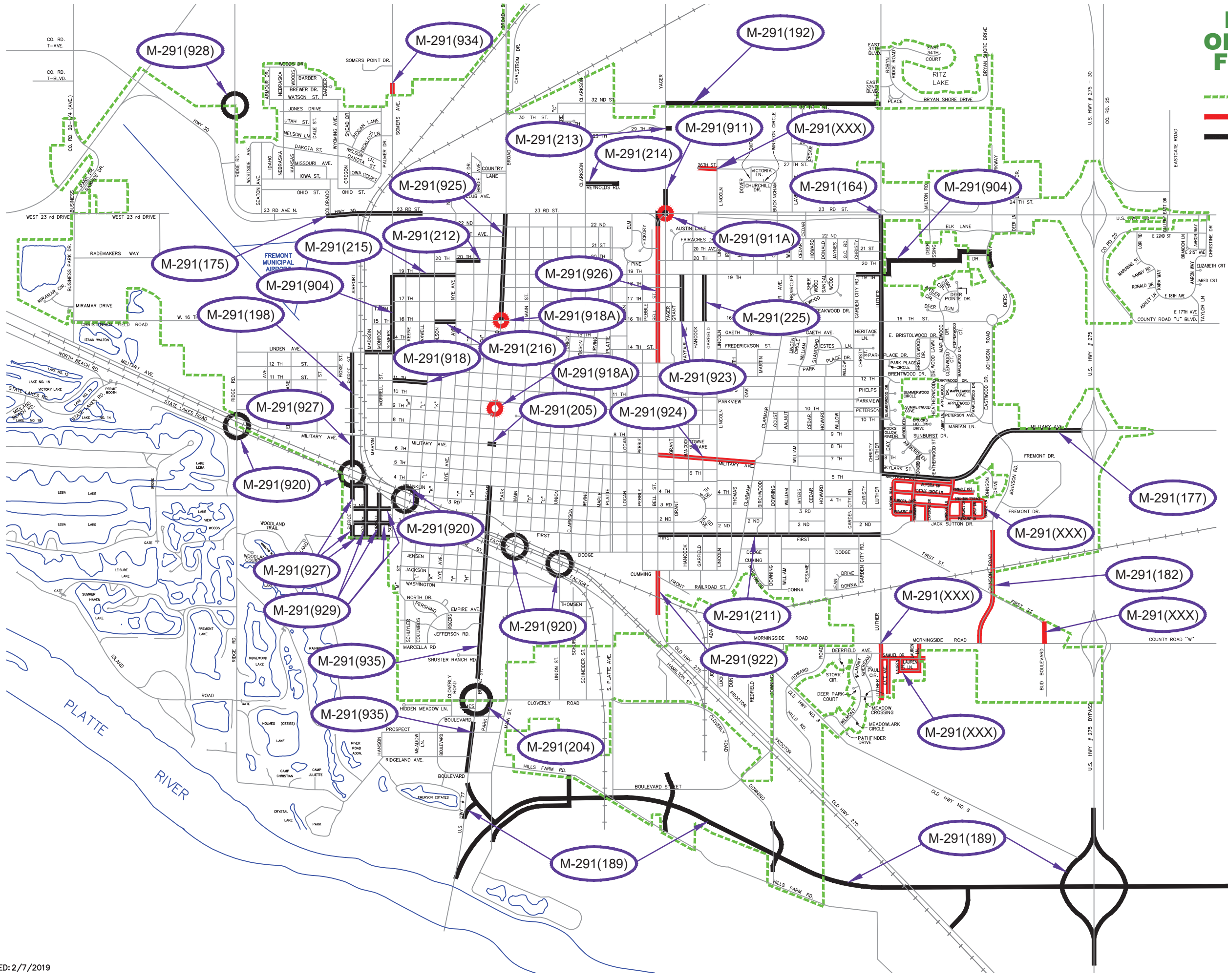
PROJECTS COMPLETED IN 2018

Park Avenue - 2nd Street to Military Avenue	\$900,000
Pedestrian Signals	\$265,000
Johnson Road Trail	\$440,000

Luther Road & Morningside Road Intersection	\$130,000
Costco Complex Streets (TIF Funded Projects)	\$3,500,000
Washington School Sidewalk District (CDBG Match)	\$106,500
TOTAL PROJECTS COMPLETED IN 2017	\$5,341,500

FREMONT, NEBRASKA ONE AND SIX YEAR PLAN FISCAL YEAR 2019-2024

LEGEND
---CITY LIMITS
--ONE YEAR
--SIX YEAR



CITY OF
FREMONT
NEBRASKA PATHFINDERS

PUBLIC WORKS
ENGINEERING DEPARTMENT

NORTH  NOT TO SCALE
REVISED CITY LIMITS AS OF
11/13/18